

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

LEROY PERRY, JR.,)

Plaintiff,)

v.)

CASE NO. CV417-229

CERES MARINE TERMINALS, INC.,)

Intervenor,)

and)

NYK LINE (NORTH AMERICA) INC.,)

MIYAZAKI SANGYO KAIUN CO., LTD.,)

and HOKOKU MARINE CO., LTD.,)

Defendants.)

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
2019 DEC 10 PM 12:37
CLERK
SO. DIST. OF GA.

O R D E R

Before the Court is the parties' Joint Motion for Dismissal with Prejudice. (Doc. 79.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing "a stipulation of dismissal signed by all parties who have appeared." As requested by the parties, this action is **DISMISSED WITH PREJUDICE**. As a result, Defendants Miyazaki Sangyo Kaiun Co., LTD., Hokoku Marine Co., LTD., and NYK Line (North America) Inc.'s Joint Motion to Exclude Expert Testimony of John Horton (Doc. 49), Defendants Miyazaki Sangyo Kaiun Co., LTD. and Hokoku Marine Co., LTD.'s Motion for Summary Judgment (Doc. 50), and Defendant NYK Line (North America) Inc.'s Motion

for Summary Judgment (Doc. 54) are **DISMISSED AS MOOT**. Each party shall bear its own costs and attorneys' fees. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 10th day of December 2019.

A handwritten signature in blue ink, appearing to read 'W. T. Moore, Jr.', is written above a horizontal line.

WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA